

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75031 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- THAKURGANJ District- Kishanganj

Pagla Murmu, Son of Late Supol Murmu, resident of Village- kachudah, Ps-
Thakurganj, Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 29-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Thakurganj P.S. Case No. 104 of 2024 dated 18.07.2024 instituted
for the offence punishable under Sections 30(a) of Bihar
Prohibition and Excise Act, 2016.

3. The allegation is of recovery of total 50 litres country
made illicit liquor from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that the house in question from where
the illicit liquor was recovered is joint house of the petitioner's
family. The seizure list does not show that any members of the
family were present there as there is no signature of the family



member of the petitioner on the seizure list. There is complete violation of Section 100 Cr.P.C. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner. It is submitted that the seized liquor was recovered from the house of the petitioner.

6. Considering the fact that the seized liquor has been recovered from the house of the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail on behalf of the petitioner stands rejected.

8. However, if the petitioner surrenders before the learned court below within six weeks from today and prays for regular bail, the same shall be considered and disposed of preferably, on the same day, on its own merit without being prejudiced by this order.

(Khatim Reza, J)

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